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July 6, 1995

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William F. Caton
 Acting Secretary
 Federal Communications Commission
 1919 M Street, NW
 Washington, DC 20554

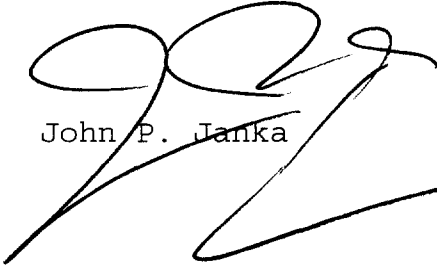
Re: CC Docket No. 92-297, RM-7872, RM-7722
Ex Parte Presentation

Dear Mr. Caton:

Edward J. Fitzpatrick of Hughes Communications Galaxy, Inc., Andrew Strodbeck of Hughes Space and Communications Company and the undersigned representative of Hughes Communications Galaxy, Inc. met on July 6, 1995 with the following Commission representatives: Ruth Milkman, Gregory L. Rosston, Jill Luckett, David R. Siddall, Mary P. McManus, Scott Blake Harris, Lisa B. Smith, Rudolfo M. Baca, Donald H. Gips, Mark A. Grannis and Cecily C. Holiday to discuss band segmentation proposals for the 28 GHz band. The enclosed materials formed the basis for those discussions.

An original and two copies of this letter are enclosed. Copies of this letter are being provided to the Commission representatives identified above.

Respectfully submitted,


 John P. Janka

Enclosures

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JUL 6 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

**Presentation to the
Federal Communications Commission**

28 GHz Resolution

Hughes Communications Galaxy, Inc.

July 6, 1995

PROMPT RESOLUTION OF THE DOMESTIC 28 GHZ PROCEEDING IS CRITICAL TO HUGHES BUSINESS PLANS

- **Hughes is actively pursuing international implementation of SPACEWAY proposal**
- **Resolution of 28 GHz proceeding requires reasonable burdens borne by all parties**
- **Current staff proposal hinges on sharing between GSO and non-GSO feeder links**
 - **Hughes has worked for over 6 months on this sharing issue**
 - **non-GSOs have rejected HC proposal as unworkable**
 - **Staff proposal for GSO/non-GSO sharing will prevent implementation of Hughes Spaceway system as proposed**
 - **restricting 250 MHz (29.1-29.25) to non-VSATs is fundamentally inconsistent with Spaceway system design**
- **SPACEWAY business plan is not feasible without access to 1000 MHz of spectrum by small antennas**

HUGHES CONCERNS WITH CURRENT STAFF PROPOSAL

Primary Issue

- **No feasible solution to GSO/non-GSO sharing problem except for "reverse band working"**
- **reverse band working possible at 19.4--19.7 GHz or 18.4-18.6 GHz**
 - **consistent with basic framework of staff proposal for 27.5--29.5 GHz**

Secondary Issues

- **Resolution of Motorola downlink band concerns through "non-standard" uplink/downlink band pairing**
- **Restrictive power limits at 18.6-18.8 GHz**
- **LMDS grandfathering at 27.35--27.5 GHz during period when GSO systems are likely to be in commercial operation (1998--on)**

28 GHz RESOLUTION SUMMARY AND RECOMMENDATION

- **Revised FCC Staff proposal prevents implementation of SPACEWAY in U.S. market**
- **Hughes proposed solution spreads burden of segmentation plan and allows all proposed systems to operate**

(1)

Original FCC Staff Proposal
(Including "Natural" Paired Downlinks)

| UPLINK | SERVICES | DOWNLINK |
|----------------------|---|----------------------|
| 27.5 | | 17.7 |
| 28.35 or 28.45 | LOCAL MULTIPOINT DISTRIBUTION SERVICE Fixed-Satellite Service (non-GSO and GSO) | 18.55 or 18.65 |
| 28.85 | FIXED-SATELLITE SERVICE (non-GSO) Fixed-Satellite Service (GSO) LMDS grandfathered at 28.35-28.5 for 5 years before non-GSO system likely to operate | 19.05 |
| 29.1 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 19.3 |
| 29.25 | FIXED-SATELLITE SERVICE (non-GSO MSS Feeder Links) LOCAL MULTIPOINT DISTRIBUTION SERVICE | 19.45 |
| 29.5 | FIXED-SATELLITE SERVICE (GSO) FIXED-SATELLITE SERVICE (non-GSO MSS Feeder Links) | 19.7 |
| 30.0 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 20.2 |

Uppercase = Primary
Lowercase = Secondary

PRIMARY HUGHES ISSUE:

No feasible solution for GSO/non-GSO sharing at 29.25-
29.5/19.45-19.7 other than "reverse band working" by
non-GSO systems in the downlink band

(2)

Revised FCC Staff Proposal
(Including "Natural" Paired Downlinks)

| UPLINK | SERVICES | DOWNLINK |
|--------|--|----------|
| 27.5 | LOCAL MULTIPOINT DISTRIBUTION SERVICE Fixed-Satellite Service (non-GSO and GSO) | 17.7 |
| 28.35 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 18.55 |
| 28.6 | FIXED-SATELLITE SERVICE (non-GSO) Fixed-Satellite Service (GSO) | 18.8 |
| 29.1 | FIXED-SATELLITE SERVICE (non-GSO MSS Feeder Links) LOCAL MULTIPOINT DISTRIBUTION SERVICE | 19.3 |
| 29.25 | FIXED-SATELLITE SERVICE (GSO) FIXED-SATELLITE SERVICE (non-GSO MSS Feeder Links) | 19.45 |
| 29.5 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 19.7 |
| 30.0 | | 20.2 |

Uppercase = Primary
Lowercase = Secondary

PRIMARY HUGHES ISSUES:

- (1) No feasible solution for GSO/non-GSO sharing at 29.25–29.5/19.45–19.7 other than "reverse band working" by non-GSO systems in the downlink band
- (2) Grandfathering LMDS at 28.35–28.5 GHz during period when GSO systems likely to be in operation in that band (1998-on)
- (3) Restrictive power limits at 18.6–18.8 GHz

(3)

Proposed Solution to Hughes Issues
Including Non-Standard Paired Downlinks

| | SERVICES | |
|-------|---|---|
| 27.5 | LOCAL MULTIPOINT DISTRIBUTION SERVICE Fixed-Satellite Service (non-GSO and GSO) | 17.7 |
| 28.35 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 18.55 |
| 28.6 | FIXED-SATELLITE SERVICE (non-GSO) Fixed-Satellite Service (GSO) | 18.8 |
| 29.1 | FIXED-SATELLITE SERVICE (non-GSO MSS Feeder Links) (Motorola) LOCAL MULTIPOINT DISTRIBUTION SERVICE | 19.3 19.425 |
| 29.25 | FIXED-SATELLITE SERVICE (GSO) Non-GSO MSS feeder links (TRW) operate only in the reverse direction at either 18.4-18.6 or 19.4-19.7 on a primary basis in that direction | 19.575 19.3 to 19.425 and 19.575 to |
| 29.5 | FIXED-SATELLITE SERVICE (GSO) Fixed-Satellite Service (non-GSO) | 19.7 |
| 30.0 | | 20.2 |

Uppercase = Primary
Lowercase = Secondary